



Public Notice

**US ARMY CORPS
OF ENGINEERS**
St. Louis District
Gateway to Excellence

Reply To:
U.S. Army Corps of Engineers
Attn: Regulatory Branch
1222 Spruce Street
St. Louis, Missouri 63103-2833

Public Notice No.

P-2649

Public Notice Date

October 24, 2007

Expiration Date

November 14, 2007

Postmaster Please Post Conspicuously Until:

File Number: 2006-1078

Interested parties are hereby notified that a Mitigation Bank Prospectus has been received pursuant to the guidelines contained in the Federal Guidance for the Establishment, Use, and Operation of Mitigation Banks (60 Fed. Reg. Pages 58605-58614, 1995).

COMMENTS AND ADDITIONAL INFORMATION: All comments and/or requests for public hearing must reach this office no later than the expiration date of the Public Notice to become part of the record and be considered in the decision. Comments should be mailed to the following address:

U.S. Army Corps of Engineers
Regulatory Branch
1222 Spruce Street
St. Louis, Missouri 63103-2833
ATTN: Mr. Shawn Sullivan

APPLICANT: Wetlands Forever, Inc., Attn: Mr. Michael Thompson, 112 N. Sunset, Bartelso, IL 62218. (618) 204-0199.

LOCATION: The proposed wetland and stream mitigation bank is located north of County Highway 7 and at the terminus of Lone Oak Lane. More specifically, the proposed mitigation bank is located within the Southern ½ of Section 6, Township 6 South, Range 01 East, Perry and Franklin Counties, Illinois.

PROJECT DESCRIPTION: Applicant seeks approval from the Mitigation Bank Review Team (MBRT) which is composed of representatives from the U.S. Army Corps of Engineers, Illinois Department of Natural Resources, the U.S. Environmental Protection Agency, and U.S. Fish and Wildlife Service to establish a stream and wetland mitigation bank along the Little Muddy River. The Little Muddy River is within the Big Muddy River Watershed. The primary objective of the proposed mitigation bank is to restore and permanently protect 68.25 acres of two wetland types within areas that are currently in agricultural production as well as enhance and protect 2,344 linear feet of Little Muddy River channel and its associated riparian corridor. If approved, these activities will be performed in two phases (a West Phase and an East Phase). The West Phase will be restored first and credits generated from the environmental improvements will be available for sale on an incremental basis as long as the mitigation bank meets its anticipated goals set forth in the banking document. Credits from the East

Phase of the project will not be available for sale until documentation is provided by the bank sponsor that environmental restoration will proceed and written approval is granted by the Corps in consultation with the MBRT. Those credits generated from the East Phase restoration work will likewise be available on an incremental basis as bank goals are achieved. The mitigation bank sponsor is developing the mitigation bank with the intent to sell the mitigation credits to recipients of Section 404 Permits who are required to compensate for unavoidable and adverse environmental impacts to waters of the United States. Specifically, the waters of the United States that will be compensated at the proposed bank include creeks and tributaries of ephemeral, intermittent, and perennial types, as well as wetlands with emergent and forested classifications. Upon request, a copy of the Mitigation Banking Prospectus is available for review in our office.

If approved by the MBRT, the mitigation bank would assist in improving the chemical, physical, and biological integrity of the Big Muddy River Watershed. The mitigation bank when fully completed will contain a total of 79.04 acres of restored, enhanced, and site protected aquatic resources that will provide an additional option for compensating impacts that occur within the geographic service area of the bank. The geographic service area is proposed to consist of the Big Muddy River Watershed. The U.S. Army Corps of Engineers may deem impact areas outside the geographic service area to be appropriately mitigated at the proposed bank, on a case-by-case basis. This mitigation bank proposal does not preclude any Section 404 permit applicant who intends or is required to use the mitigation bank from complying with Clean Water Act Section 404(b)(1) Guidelines, the National Environmental Policy Act, and our evaluation of probable impacts on public interest. Likewise, the U.S. Army Corps of Engineers is committed to determining compensatory mitigation through the implementation of current Regulatory Guidance and best professional judgment to consider on-site or within the immediate sub-watershed mitigation opportunities first, when impacts to waters of the United States cannot be practicably avoided or further minimized.

LOCATION MAPS AND DRAWINGS: See attached maps.

ADDITIONAL INFORMATION: Additional information may be obtained by contacting Shawn Sullivan, Project Manager, U.S. Army Corps of Engineers, at (314) 331-8580. Your inquiries may also be sent by electronic facsimile to (314) 331-8741 or by e-mail to Shawn.F.Sullivan@mvs02.usace.army.mil.

AUTHORITY: Section 404 of the Clean Water Act (33 U.S.C. 1344).

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the applicant's proposal. Any request for a public hearing shall state, with particularity, the reason for the hearing, and must be based on issues that would warrant additional public review.

ENDANGERED SPECIES: A preliminary determination, in compliance with the Endangered Species Act, as amended, has been made that the work that is proposed would not affect species designated as threatened or endangered, or adversely affect critical habitat. Therefore, no formal consultation request has been made to the United States Department of Interior, Fish and Wildlife Service. In order to complete our evaluation, comments are solicited from the Fish and Wildlife Service and other interested agencies and individuals through this Public Notice.

CULTURAL RESOURCES: The St. Louis District will evaluate information provided by the State Historic Preservation Officer and the public in response to this public notice and we may require a reconnaissance survey of the project area.

EVALUATION OF PROBABLE IMPACTS: The decision whether to authorize Wetlands Forever, Inc. to enter into an agreement with the Corps and MBRT will be based on an evaluation of the probable impact including cumulative impacts of the described activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit that may reasonably be expected to accrue from the described activity must be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the activity described, will be considered including the cumulative effects. Among factors considered are: conservation; economics; aesthetics; general environmental concerns; wetlands; historic properties; fish and wildlife values; flood hazards; flood plain values; land use; navigation; shoreline erosion and accretion; recreation; water supply and conservation; water quality; energy needs; safety; food and fiber production; mineral needs; consideration of property ownership; and in general the needs and welfare of the people.

SOLICITATION OF COMMENTS FROM THE PUBLIC: The U.S. Army Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of the proposed activity. Any comments received will be considered by the U.S. Army Corps of Engineers to determine whether to approve, modify, or deny authorization for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and other public interest factors listed above. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.



for

DANNY D. MCCLENDON
Chief, Regulatory Branch

Attachments

NOTICE TO POSTMASTERS:

It is requested that this notice be conspicuously and continually placed for 21 days from the date of this issuance of this notice.

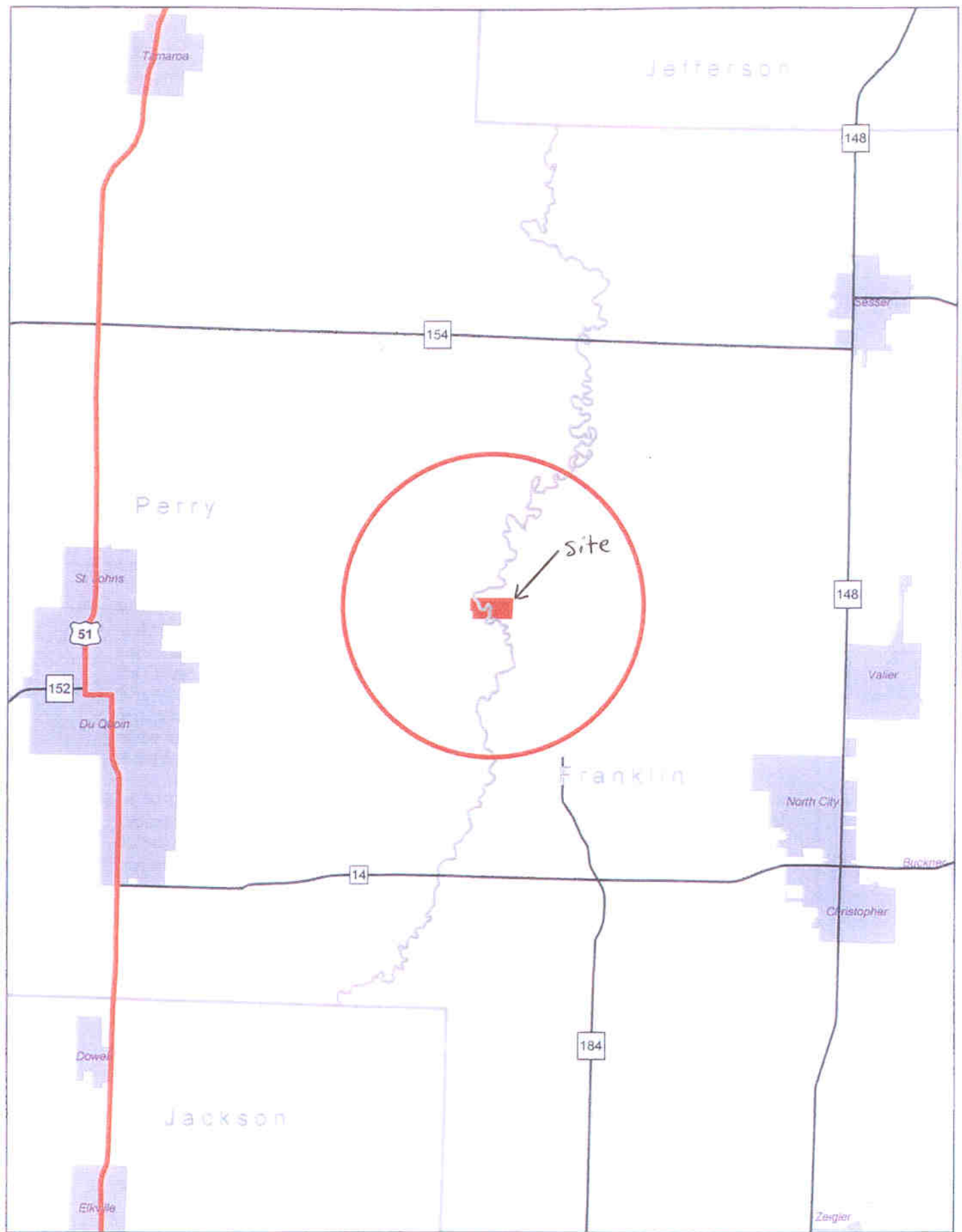
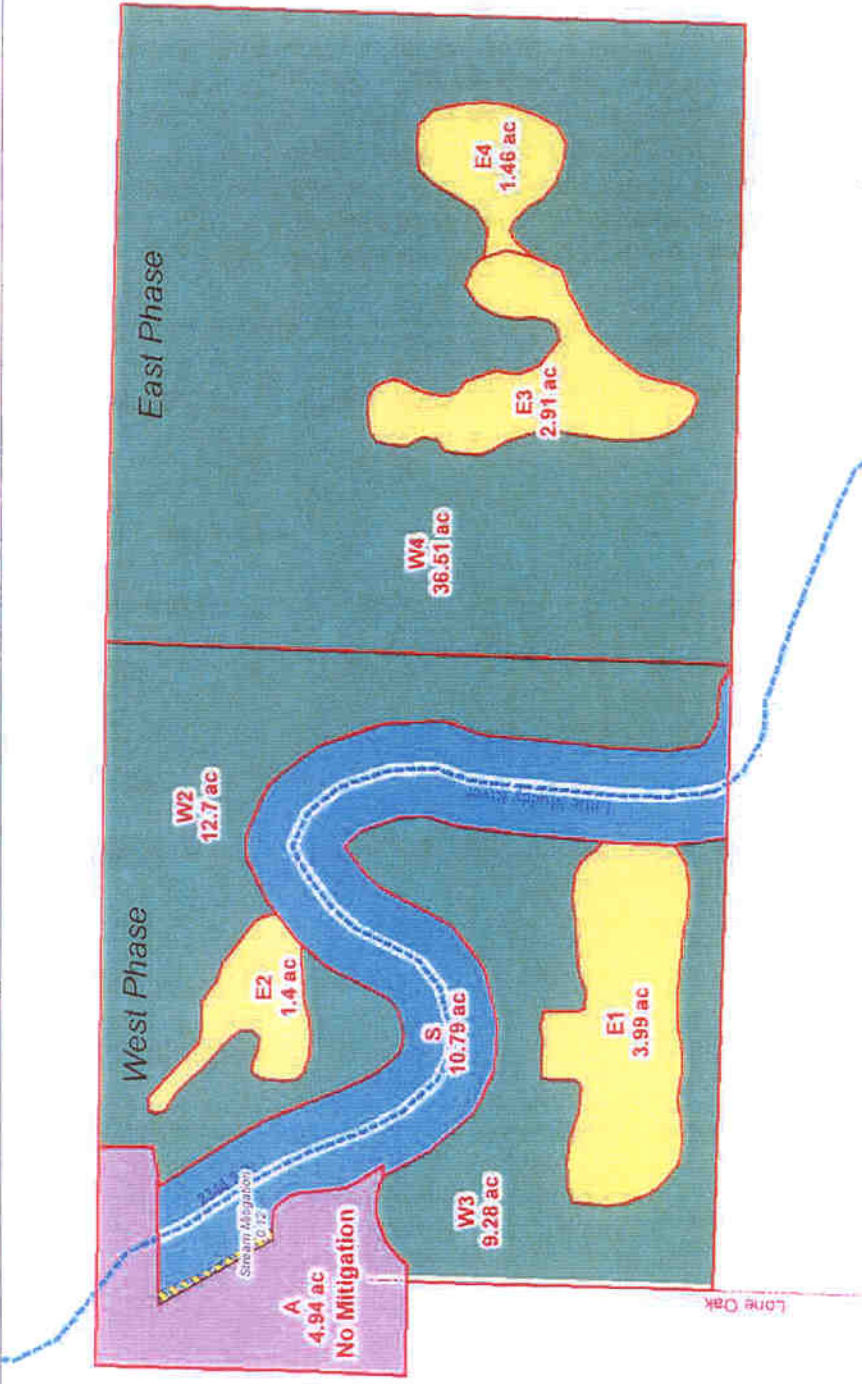
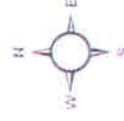


Figure 2.1 Site Location Map



COMMENT1	COMMENT2	LABEL	KEY2	AC2	Area
Homesite - no mitigation	West Phase	Upland	A	4.94	213,753.87
Emergent wetland	West Phase	Emergent Wetland	E1	3.99	173,820.05
Emergent East of stream buffer	West Phase	Emergent Wetland	E2	1.40	60,983.62
East of stream buffer	West Phase	Stream Bank Corridor (200 ft)	S	10.79	469,939.29
East of stream buffer	West Phase	Forest Wetland	W2	12.70	553,180.79
West of stream buffer	West Phase	Forest Wetland	W3	9.28	404,365.88
				40.88	63.98

Legend
Forest Wetland
Emergent Wetland
Stream Bank Corridor (200 ft)
Upland - No Mitigation
Stream_mitigation



Big Muddy River Watershed

Legend

- Big Muddy River
- Big Muddy River Watershed
- County Boundary
- Water
- Interstate
- US Highway
- State Route

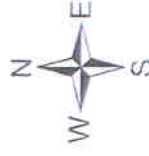


Figure 5.2



SWI GIS Resource Center, July 2007

Service Area Map

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